

**Memorandum of the Meeting
Regular Study Session/Meeting
Twenty-Seventh Town Council of Highland
Monday, August 03, 2015**

The regular study session of the Twenty-Seventh Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, August 03, 2015** at the time of 7:01 o'clock p.m.

Silent Roll Call: Councilors Mark A. Herak, Bernie Zemen and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to an extended work commitment. Councilor Dan Vassar was absent owing to another commitment. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

Also present: Randy Bowman, Assistant Inspector for Electrical; Susan Murovic, Advisory Board of Zoning Appeals; Kenneth J. Mika, Building Commissioner Terry Hodnik, P.E., Principal with NIES; and John M. Bach, Public Works Director, were present.

Additionally Present: Mr. James L. Wieser, Attorney for Cathy Warquier, ABZA use variance petitioner; and Dion Katsouros, Skillman Corporation were also present.

General Substance of Matters Discussed or Proposed

1. *Monthly Status Report regarding Police Station Construction Project.* Mr. Dion Katsouros, Senior Project Manager of the Skillman Corporation was present and offered a cursory overview on the status of construction. He distributed a booklet offering photos of the construction site depicting the current disposition of the building project. Mr. Katsouros stated that he was hopeful that occupancy could be attained in third week of October. Mr. Katsouros departed following the presentation.
2. *Discuss the Webb Hyundai rezoning Request Favorably Certified by the Plan Commission.* The Town Council discussed the favorably recommended rezoning site at 2330-41st Street, Highland. It was noted that the rezoning was sought to permit the lot to be available for additional retail inventory.

The Town Council discussed again the site plans and the intended landscaping and improvements consented to by the petitioner in order to address the concerns of remonstrators. It was noted that the matter was delayed from consideration from the plenary business meeting of Monday, July 27, 2015 at the request of Councilor Zemen so that he could fully inform his deliberation. There was no objection to placing the matter for Council action at its meeting of August 10, 2015.

3. *Discuss the ABZA Petition on Use Variance Request for an apartment above a detached garage (a legal non-conforming use) at 3705 Highway Avenue, Highland, currently zoned as R-1 Single Family Residential District. This received a favorable recommendation from the ABZA at its meeting of June 24, 2015.* The Town Council reviewed the report and findings of facts as submitted by the Advisory Board of Zoning Appeals regarding the petitioner's request for a use variance.

With leave from the Town Council, James L. Wieser, Attorney for the Petitioner, Cathy Warquier, 8646 Walnut, Munster, Indiana, made a presentation regarding the rationale for the favorable recommendation. He noted that the particular desired use was already being conducted by several other locations in the neighborhood. The Town Council thanked Mr. Wieser for his presentation. There was no objection to placing the matter on the agenda of

the plenary business meeting of August 10, 2017. Mr. Wieser departed at this time.

4. *Discuss the Request for Additional Appropriations in the Redevelopment General and Capital Funds to support the Transfer of Money Raised for the Town Theatre and in the Gaming Revenue Sharing Fund to Support Preliminary Engineering for the Johnston Street Project and the 5th and 45th Intersection Improvement.* The Town Clerk-Treasurer explained that there was collected by the Redevelopment Department revenues or donations that were in support of the Town Theatre restoration project. He explained that the Town Theatre Board has been formed, officers elected and a bank account established, the money net of any expenses related to fundraising, should be transferred to the Board for its use. The transfer requires an additional appropriation.

The Town Clerk-Treasurer further reported for the Public Works Director his request for a \$42,000 for the Johnston Street Project and \$39,000 for the 45th and 5th Street Improvement Project, all for preliminary engineering and all from the Gaming Revenue Sharing Fund. The Clerk-Treasurer was seeking authorization to advertise for the required public hearing to be granted at the August 10, Plenary Business Meeting with the hearing to be conducted on August 24, 2015. There was no objection expressed for placement on the August 10 agenda.

5. *Discuss the Approval of the Special Liability Insurance for the Fire Department as required by IC 36-8-12-6.* The Town Council President noted that Tom Brown of the Brown Insurance Group has shopped the policy and was recommending renewal under the current carrier, with a very modest increase. The Town Council President stated that Mr. Brown would be speaking to the Town Council later regarding that, the dental plan and the workers compensation policies. However, the Town Council President wished to proceed with the Insurance as presented. There was no objection. The insurance would be taken up at the August 10, 2015 meeting.
6. *Discuss the Issue of the Public Sidewalk and Retaining Wall installed at 8804 Kennedy Avenue, Highland, which was installed 20 Years Ago by the Town as part of the Wicker Avenue Reconstruction and widening.* The Public Works Director and Mr. Hodnik, P.E. of NIES Engineers, discussed the current declining condition of the retaining wall at the intersection of 2700 Block of Wicker Avenue and Kennedy Avenue, at the southwest corner. The Public Works Director also presented photographs to illustrate the condition and the need for repair or replacement. The Public Works Director described the issue as the ground behind the retaining wall having settled, causing the fence to shift and the sidewalk and concrete fixtures to settle.

The needed repair as designed by Mr. Hodnik, would capture drainage and replace the wall. This design was used to solicit bids to render the repair. The bids produced a cost of \$140,000. The cost is significant. The engineer and the Public Works Director reported having sought alternative solutions, all of which bring significant cost.

The Town Council, Mr. Hodnik and the Public Works Director discussed the merits of purchasing the property, raising the existing house, grading the lot to eliminate the need for the wall and then offer the lot for sale. The discussion considered the cost benefits of this alternative approach. After the discussion, the Public Works Director was instructed to seek appraisals on the lot and to report back to the Town Council.

7. *Discuss the Progress related to the Indiana Municipal Utility Group (IMUG) in its ongoing work with NIPSCO and the prospect of soon getting LED Street Lights.* The Town Council discussed the current status of the group's efforts that were involved in recent rate hearings sought by NIPSCO for electric service, which lead to more favorable tariffs for the municipalities and residents. Further, the group has been working to obtain a special LED tariff and to begin a process of converting streetlights to obtain the savings and lower power requirements. It was noted that the Public Works Director was keeping abreast of the developments.

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, August 03, 2015**, was adjourned at 8:05 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer